

COPY

JFW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/808,251	03/23/2004	Youji Maruyama	16869G-101200US

CONFIRMATION NO. 4216

20350
 TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834



FORMALITIES LETTER



OC000000012883800

Date Mailed: 06/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/10/2004 BABRAHA1 00000042 201430 10808251

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA
 02 FC:1051 130.00 DA
 03 FC:1202 36.00 DA
 04 FC:1201 86.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$122** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1022** for a Large Entity

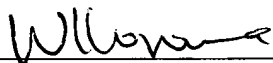
- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$122

- \$86 for 1 independent claims over 3.
- \$36 for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

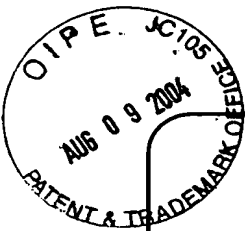
A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/808,251
Filing Date	March 23, 2004
First Named Inventor	Maruyama, Youji
Art Unit	2651
Examiner Name	Unassigned
Attorney Docket Number	16869G-101200US

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input checked="" type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/
Incomplete Application

<input type="checkbox"/> Response to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund

<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication
to Technology Center (TC)
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please
identify below):
1. Declaration/Power of Attorney
2. Copy of Notice
3. Supplemental ADS
4. Assignment Papers
5. Return Postcard |
|--|--|---|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated June 7, 2004, the enclosures listed on this sheet are to be made of record in the above-identified case.

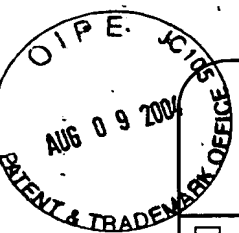
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP Robert C. Colwell	Reg. No. 27,431
Signature		
Date	8/6/04	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	ROGER HYLTON		
Signature		Date	AUG 6, 2004



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1062

Complete if Known

Application Number	10/808,251
Filing Date	March 23, 2004
First Named Inventor	Maruyama, Youji
Examiner Name	Unassigned
Art Unit	2651
Attorney Docket No.	16869G-101200US

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																												
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None				3. ADDITIONAL FEES																																																																																																																																																																																												
<input checked="" type="checkbox"/> Deposit Account:																																																																																																																																																																																																
Deposit Account Number: 20-1430																																																																																																																																																																																																
Deposit Account Name: Townsend and Townsend and Crew LLP																																																																																																																																																																																																
The Director is authorized to: (check all that apply)																																																																																																																																																																																																
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments																																																																																																																																																																																																
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)																																																																																																																																																																																																
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																																																																																																																																																																																
FEE CALCULATION																																																																																																																																																																																																
1. BASIC FILING FEE																																																																																																																																																																																																
<table><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td></td><td></td><td>1001</td><td>770</td><td>2001 385 Utility filing fee</td><td>770</td></tr><tr><td></td><td></td><td>1002</td><td>340</td><td>2002 170 Design filing fee</td><td></td></tr><tr><td></td><td></td><td>1003</td><td>530</td><td>2003 265 Plant filing fee</td><td></td></tr><tr><td></td><td></td><td>1004</td><td>770</td><td>2004 385 Reissue filing fee</td><td></td></tr><tr><td></td><td></td><td>1005</td><td>160</td><td>2005 80 Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1)</td><td>(\$770)</td></tr></tbody></table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1001	770	2001 385 Utility filing fee	770			1002	340	2002 170 Design filing fee				1003	530	2003 265 Plant filing fee				1004	770	2004 385 Reissue filing fee				1005	160	2005 80 Provisional filing fee		SUBTOTAL (1)					(\$770)																																																																																																																																																			
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																											
		1001	770	2001 385 Utility filing fee	770																																																																																																																																																																																											
		1002	340	2002 170 Design filing fee																																																																																																																																																																																												
		1003	530	2003 265 Plant filing fee																																																																																																																																																																																												
		1004	770	2004 385 Reissue filing fee																																																																																																																																																																																												
		1005	160	2005 80 Provisional filing fee																																																																																																																																																																																												
SUBTOTAL (1)					(\$770)																																																																																																																																																																																											
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE																																																																																																																																																																																																
<table><thead><tr><th></th><th>Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Total Claims 22</td><td>-20** = 2</td><td>\$18</td><td>\$36</td></tr><tr><td>Independent Claims 4</td><td>-3** = 1</td><td>\$86</td><td>\$86</td></tr><tr><td>Multiple Dependent</td><td></td><td></td><td></td></tr></tbody></table>					Extra Claims	Fee from below	Fee Paid	Total Claims 22	-20** = 2	\$18	\$36	Independent Claims 4	-3** = 1	\$86	\$86	Multiple Dependent																																																																																																																																																																																
	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																													
Total Claims 22	-20** = 2	\$18	\$36																																																																																																																																																																																													
Independent Claims 4	-3** = 1	\$86	\$86																																																																																																																																																																																													
Multiple Dependent																																																																																																																																																																																																
<table><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td></td><td></td><td>1202</td><td>18</td><td>2202 9 Claims in excess of 20</td></tr><tr><td></td><td></td><td>1201</td><td>86</td><td>2201 43 Independent claims in excess of 3</td></tr><tr><td></td><td></td><td>1203</td><td>290</td><td>2203 145 Multiple dependent claim, if not paid</td></tr><tr><td></td><td></td><td>1204</td><td>86</td><td>2204 43 ** Reissue independent claims over original patent</td></tr><tr><td></td><td></td><td>1205</td><td>18</td><td>2205 9 ** Reissue claims in excess of 20 and over original patent</td></tr><tr><td colspan="5">SUBTOTAL (2) (\$122)</td></tr></tbody></table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description			1202	18	2202 9 Claims in excess of 20			1201	86	2201 43 Independent claims in excess of 3			1203	290	2203 145 Multiple dependent claim, if not paid			1204	86	2204 43 ** Reissue independent claims over original patent			1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent	SUBTOTAL (2) (\$122)																																																																																																																																																														
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description																																																																																																																																																																																												
		1202	18	2202 9 Claims in excess of 20																																																																																																																																																																																												
		1201	86	2201 43 Independent claims in excess of 3																																																																																																																																																																																												
		1203	290	2203 145 Multiple dependent claim, if not paid																																																																																																																																																																																												
		1204	86	2204 43 ** Reissue independent claims over original patent																																																																																																																																																																																												
		1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																												
SUBTOTAL (2) (\$122)																																																																																																																																																																																																
**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																																
				<table><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td></td><td></td><td>1051</td><td>130</td><td>2051 65 Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td></td><td></td><td>1052</td><td>50</td><td>2052 25 Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td></td><td></td><td>1053</td><td>130</td><td>1053 130 Non-English specification</td><td></td></tr><tr><td></td><td></td><td>1812</td><td>2,520</td><td>1812 2,520 For filing a request for reexamination</td><td></td></tr><tr><td></td><td></td><td>1804</td><td>920*</td><td>1804 920* Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td></td><td></td><td>1805</td><td>1,840*</td><td>1805 1,840* Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td></td><td></td><td>1251</td><td>110</td><td>2251 55 Extension for reply within first month</td><td></td></tr><tr><td></td><td></td><td>1252</td><td>420</td><td>2252 210 Extension for reply within second month</td><td></td></tr><tr><td></td><td></td><td>1253</td><td>950</td><td>2253 475 Extension for reply within third month</td><td></td></tr><tr><td></td><td></td><td>1254</td><td>1,480</td><td>2254 740 Extension for reply within fourth month</td><td></td></tr><tr><td></td><td></td><td>1255</td><td>2,010</td><td>2255 1,005 Extension for reply within fifth month</td><td></td></tr><tr><td></td><td></td><td>1401</td><td>330</td><td>2401 165 Notice of Appeal</td><td></td></tr><tr><td></td><td></td><td>1402</td><td>330</td><td>2402 165 Filing a brief in support of an appeal</td><td></td></tr><tr><td></td><td></td><td>1403</td><td>290</td><td>2403 145 Request for oral hearing</td><td></td></tr><tr><td></td><td></td><td>1451</td><td>1,510</td><td>1451 1,510 Petition to institute a public use proceeding</td><td></td></tr><tr><td></td><td></td><td>1452</td><td>110</td><td>2452 55 Petition to revive - unavoidable</td><td></td></tr><tr><td></td><td></td><td>1453</td><td>1,330</td><td>2453 665 Petition to revive - unintentional</td><td></td></tr><tr><td></td><td></td><td>1501</td><td>1,330</td><td>2501 665 Utility issue fee (or reissue)</td><td></td></tr><tr><td></td><td></td><td>1502</td><td>480</td><td>2502 240 Design issue fee</td><td></td></tr><tr><td></td><td></td><td>1503</td><td>640</td><td>2503 320 Plant issue fee</td><td></td></tr><tr><td></td><td></td><td>1460</td><td>130</td><td>1460 130 Petitions to the Commissioner</td><td></td></tr><tr><td></td><td></td><td>1807</td><td>50</td><td>1807 50 Petitions related to provisional applications</td><td></td></tr><tr><td></td><td></td><td>1806</td><td>180</td><td>1806 180 Submission of Information Disclosure Stmt</td><td></td></tr><tr><td></td><td></td><td>8021</td><td>40</td><td>8021 40 Recording each patent assignment per property (times number of properties)</td><td>40</td></tr><tr><td></td><td></td><td>1809</td><td>770</td><td>2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td></td><td></td><td>1810</td><td>770</td><td>2810 385 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td></td><td></td><td>1801</td><td>770</td><td>2801 385 Request for Continued Examination (RCE)</td><td></td></tr><tr><td></td><td></td><td>1802</td><td>900</td><td>1802 900 Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="5">Other fee (specify) _____</td><td></td></tr><tr><td colspan="5">*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$170)</td></tr></tbody></table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1051	130	2051 65 Surcharge - late filing fee or oath	130			1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet.				1053	130	1053 130 Non-English specification				1812	2,520	1812 2,520 For filing a request for reexamination				1804	920*	1804 920* Requesting publication of SIR prior to Examiner action				1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action				1251	110	2251 55 Extension for reply within first month				1252	420	2252 210 Extension for reply within second month				1253	950	2253 475 Extension for reply within third month				1254	1,480	2254 740 Extension for reply within fourth month				1255	2,010	2255 1,005 Extension for reply within fifth month				1401	330	2401 165 Notice of Appeal				1402	330	2402 165 Filing a brief in support of an appeal				1403	290	2403 145 Request for oral hearing				1451	1,510	1451 1,510 Petition to institute a public use proceeding				1452	110	2452 55 Petition to revive - unavoidable				1453	1,330	2453 665 Petition to revive - unintentional				1501	1,330	2501 665 Utility issue fee (or reissue)				1502	480	2502 240 Design issue fee				1503	640	2503 320 Plant issue fee				1460	130	1460 130 Petitions to the Commissioner				1807	50	1807 50 Petitions related to provisional applications				1806	180	1806 180 Submission of Information Disclosure Stmt				8021	40	8021 40 Recording each patent assignment per property (times number of properties)	40			1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))				1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))				1801	770	2801 385 Request for Continued Examination (RCE)				1802	900	1802 900 Request for expedited examination of a design application		Other fee (specify) _____						*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$170)				
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																											
		1051	130	2051 65 Surcharge - late filing fee or oath	130																																																																																																																																																																																											
		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																												
		1053	130	1053 130 Non-English specification																																																																																																																																																																																												
		1812	2,520	1812 2,520 For filing a request for reexamination																																																																																																																																																																																												
		1804	920*	1804 920* Requesting publication of SIR prior to Examiner action																																																																																																																																																																																												
		1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action																																																																																																																																																																																												
		1251	110	2251 55 Extension for reply within first month																																																																																																																																																																																												
		1252	420	2252 210 Extension for reply within second month																																																																																																																																																																																												
		1253	950	2253 475 Extension for reply within third month																																																																																																																																																																																												
		1254	1,480	2254 740 Extension for reply within fourth month																																																																																																																																																																																												
		1255	2,010	2255 1,005 Extension for reply within fifth month																																																																																																																																																																																												
		1401	330	2401 165 Notice of Appeal																																																																																																																																																																																												
		1402	330	2402 165 Filing a brief in support of an appeal																																																																																																																																																																																												
		1403	290	2403 145 Request for oral hearing																																																																																																																																																																																												
		1451	1,510	1451 1,510 Petition to institute a public use proceeding																																																																																																																																																																																												
		1452	110	2452 55 Petition to revive - unavoidable																																																																																																																																																																																												
		1453	1,330	2453 665 Petition to revive - unintentional																																																																																																																																																																																												
		1501	1,330	2501 665 Utility issue fee (or reissue)																																																																																																																																																																																												
		1502	480	2502 240 Design issue fee																																																																																																																																																																																												
		1503	640	2503 320 Plant issue fee																																																																																																																																																																																												
		1460	130	1460 130 Petitions to the Commissioner																																																																																																																																																																																												
		1807	50	1807 50 Petitions related to provisional applications																																																																																																																																																																																												
		1806	180	1806 180 Submission of Information Disclosure Stmt																																																																																																																																																																																												
		8021	40	8021 40 Recording each patent assignment per property (times number of properties)	40																																																																																																																																																																																											
		1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																												
		1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																												
		1801	770	2801 385 Request for Continued Examination (RCE)																																																																																																																																																																																												
		1802	900	1802 900 Request for expedited examination of a design application																																																																																																																																																																																												
Other fee (specify) _____																																																																																																																																																																																																
*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$170)																																																																																																																																																																																																

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Robert C. Colwell	Registration No. (Attorney/Agent)	27,431	Telephone	650-326-2400
Signature				Date	8/6/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.